

State of South Dakota

SEVENTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2001

921E0463

HOUSE ENGROSSED NO. **HB 1181** - 02/14/2001

Introduced by: Representatives Hennies (Thomas), Garnos, and Kooistra and Senator Ham

1 FOR AN ACT ENTITLED, An Act to place certain restrictions on the excusing of students
2 from school attendance to receive alternative instruction.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 13-27-2 be amended to read as follows:

5 13-27-2. Upon receipt of an application from the parent or guardian of the child for the
6 reasons set forth in § 13-27-3, school boards of all school districts shall excuse a child from
7 school attendance in executive session using a case number. The application for excuse shall be
8 filed no later than thirty days before the alternative instruction is to begin. The time restriction
9 does not apply in the case of students who begin residence in the school district less than thirty
10 days before the alternative instruction is to begin. A parent or guardian may appeal to the school
11 board for a waiver of the thirty-day requirement if the situation warrants it. The school board
12 shall act on the application for excuse and on the request for waiver of the thirty-day requirement
13 as expeditiously as possible. School boards of all school districts may excuse a child from public
14 school attendance for the reasons set forth in §§ 13-27-6 and 13-27-6.1.

15 Section 2. That § 13-32-4.3 be amended to read as follows:

1 13-32-4.3. If any student is under suspension or expulsion in a school district, the student
2 may not enroll in any school district or be excused from school attendance pursuant to § 13-27-3
3 until the suspension or expulsion has expired. The superintendent or school administrator of any
4 school district may prohibit a student from enrolling in that school district if the student is under
5 suspension or expulsion in a school in another state or in a nonpublic school in this state. Upon
6 receiving a request for a student's permanent school records from the receiving district, the
7 sending school shall provide the receiving district with written notice of any suspension or
8 expulsion.